IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 1570/2001

SHIV RAJ SINGH
Vs.
ADDITIONAL COLLECTOR, SAWAI MADHOPUR & ORS.

DATE: 03.09.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

None present for the petitioner.
Mr. D.K. Dixit for
Mr. A.K. Bajpai for the respondents.

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This writ petition is directed against the order/resolution dated 22.02.2001 passed by the Additional Collector, Sawai Madhopur. A revision petition was filed by the respondent No.3 Badri Lal before the Additional Collector against the order dated 12.11.99 passed by the Panchayat Samiti, Bonli and the order dated 10.08.98 passed by the Gram Panchayat, Malarna Doongar, whereby the petitioner was alloted a plot measuring 30x30 Sq. feet and the permission for construction over the said plot was also granted by the Gram Panchayat.

Having heard rival submissions made on behalf of the petitioner as well as respondent No.3, the Additional Collector, Sawai Madhopur vide its order

dated 22.02.2001 partly allowed the aforesaid revision petition and cancelled the order dated 10.08.98 and 12.11.99 with the direction that after leaving 7-1/2 feet wide public way and as per the commissioner's report, plot measuring 22x30 Sq. feet be alloted in favour of the petitioner.

Now the only dispute in this writ petition is with regard to measurement of the plot. As per the resolution passed by the Gram Panchayat, plot measuring 30x30 Sq. feet was alloted to the petitioner, whereas the Additional Collector, Sawai Madhopur modified the order of allotment and approved allotment to the extent of 22x30 Sq. feet.

I find no illegality of error apparent on the face of the record in the impugned order dated 22.02.2001 passed by the Additional Collector, Sawai Madhopur which requires any interference by this Court as only 8 feet of difference is there, which is essentially required to be left for public way.

Consequently, the writ petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

/KKC/